

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

OREXO AB and OREXO US, INC.,

Plaintiffs,

v.

ACTAVIS ELIZABETH LLC,  
ACTAVIS PHARMA, INC., TEVA  
PHARMACEUTICALS, USA, INC.,  
and TEVA PHARMACEUTICAL  
INDUSTRIES, LTD.,

Defendants.

Civil Action No. 17-205-CFC

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**ORDER**

At Wilmington this Twelfth day of March in 2019:

For the reasons set forth in the Memorandum Opinion issued this day,

**IT IS HEREBY ORDERED** that Plaintiffs' Motion for Summary Judgment that Issue Preclusion Bars Defendants from Relitigating the Validity of the '996 Patent (D.I. 172) is **DENIED**.

**IT IS FURTHERED ORDERED** that Plaintiffs' Motion Pursuant to Fed. R. Civ. P. 12(b)(6) and 12(f) that the Court Dismiss and Strike Defendants' Allegations that the Claims of U.S. Patent No. 8,454,996 are Invalid (D.I. 53) is **DENIED AS MOOT**.

  
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CONNOLLY, UNITED STATES DISTRICT JUDGE